

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.) No. 4:08CR551-DJS
)
)
SHANE R. FRANK,)
)
 Defendant.)

ORDER

Upon careful consideration of the report and recommendation of the United States Magistrate Judge and the lack of objections thereto,

IT IS HEREBY ORDERED that the magistrate judge's report and recommendation [Doc. #21] is accepted and adopted.

IT IS FURTHER ORDERED that defendant's motion to suppress [Doc. #17] is denied as moot subject to the government's agreement not to use the challenged statements in its case-in-chief.

Dated this 4th day of December, 2008.

/s/Donald J. Stohr
UNITED STATES DISTRICT JUDGE